

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
 E/S Greenbank Road, opposite \*  
 Riverman Avenue \* ZONING COMMISSIONER  
 7038 Greenbank Road \*  
 15th Election District \* OF BALTIMORE COUNTY  
 5th Councilmanic District \*  
 Jim Grace \* Case No. 96-263-A  
 Petitioner \*  
 \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 7038 Greenbank Road, near the Gunpowder River and Gunpowder Falls State Park in Baltimore County. The Petition is filed by Jim Grace, property owner. Variance relief is requested from Section 1B02.3 of the Baltimore County Zoning Regulations (BCZR) to allow a rear yard setback of 20 ft. in lieu of the required 30 ft., for a family room addition to the rear of an existing house. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was Jim Grace, Petitioner/property owner. Also present was Noel Spindler who resides in the single family dwelling situated on the subject property. Thomas E. Phelps, the Registered Property Line Surveyor who prepared the site plan, also appeared. There were no Protestants or any interested persons present.

Testimony and evidence presented was that the subject lot is approximately 6,000 sq. ft. in area, zoned D.R.5.5. The lot is improved with a residential single family dwelling as shown on the site plan. This is a two story dwelling which presently contains an attached porch on the rear of the house. The property is approximately 55 ft. wide and 109 ft. deep. The property is located within a residential community near the Gunpowder River and Gunpowder Falls State Park.

ORDER RE: FILING  
 Date 2/22/96  
 By M. H. H. H.

The Petitioner proposes constructing a single story family room addition to the rear of the house. It was indicated that this is the only area of the property where an addition could be constructed owing to constraints unique to this property. Specifically, the property abuts a panhandle driveway on one side which leads to a dwelling on a lot to the rear of the subject site. An addition to the side of the property is not practical in view of existing vegetation. Expansion to the rear is more appropriate in that the neighboring house in that direction sits a minimum of 60 ft. from the common property line.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Several relevant comments were received from member agencies of the Zoning Plans Advisory Committee. A comment was received from the Department of Environmental Protection and Resource Management which indicates that a variance from the critical area requirements will be necessary due to the increase in impermeable surface. It is to be noted, in this regard, however, that the existing deck will be removed and replaced by the proposed addition. A relevant comment was also offered from the Development Plans Review Division regarding elevations for the addition. The Petitioner and his consultant were agreeable to incorporating these restrictions to the relief granted. In fact, Mr. Phelps indicated that an

ORDER RECEIVED FOR FILING

Date

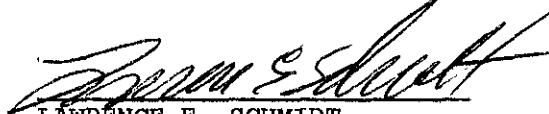
By

application for variance had been made to DEPRM and plans submitted to Development Plans Review for evaluation.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22<sup>nd</sup> day of February, 1996 that a variance from Section 1B02.3 of the Baltimore County Zoning Regulations (BCZR) to allow a rear yard setback of 20 ft. in lieu of the required 30 ft., for a family room addition to the rear of an existing house, be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, DEPRM dated January 29, 1996, and Development Plans Review Division, dated January 26, 1996, are adopted in their entirety and made a part of this Order.
3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mmn

ORDER RECEIVED FOR FILING  
Date 2/23/96  
By M. D. Cook

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

February 21, 1996

Mr. Jim Grace  
2527 Barrison Point Road  
Baltimore, Maryland 21221

RE: Case No. 96-263-A  
Petition for Zoning Variance  
Property: 7038 Greenbank Road

Dear Mr. Grace:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, reading "Lawrence E. Schmidt".

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn

att.

c: Mr. Thomas E. Phelps, 945 Barron Avenue, 21221

RECEIVED  
FEB 23 1996



CRITICAL  
AREA



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

7038 Graenbank Road

which is presently zoned

DR5.5

96-263-A

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3 to allow a rear set back of 20' in lieu of the required 30', (to allow for a family room on rear of existing house.)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) The existing house is too small for the family.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Jim Grace

(Type or Print Name)

Signature

(Type or Print Name)

Signature

391 0179  
2527 Barrison Point Road (410)  
Address Phone No

Baltimore MD 21221  
City State Zipcode  
Name, Address and phone number of representative to be contacted.

Thomas E. Phelps  
Name

945 BARRON AVE. (410) 574 6744  
Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

1-5-96

#263



Printed with Soybean Ink  
on Recycled Paper

Revised 9/5/95

MICROFILMED

96-263-A

#263

ZONING DESCRIPTION

#7038 Greenbank Rd.

Beginning at a point on the east side of Greenbank Rd. opposite Riverman Ave. Thence running NE 109.1 ~~ft.~~ thence NW 55 ~~ft.~~ thence southwest 109.1 ~~ft.~~ thence SE 55 ~~ft.~~ to the point of beginning. Containing 6,000.5 sq. ~~ft.~~ & located in the 15<sup>th</sup> Election District.

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

District 15

Posted for: Variance

Date of Posting 1/29/96

Petitioner: Jim Grace

Location of property: 7038 Greenbank Road

Location of Sign: West Ward along street

Remarks:

Posted by Rebecca M. Wilson

Signature

Date of return:

Number of Signs: 1



RECEIVED  
FEB 1 1996  
ZONING DEPARTMENT

# CERTIFICATE OF PUBLICATION

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #96-263-A

(Item 263)

7038 Evershank Road  
Baltimore, Maryland 21204

Opposite

15th Baltimore Road

5th Courthouse

Legal Center

1st Floor

Verdict: To allow a rear setback of 20 feet in lieu of the required 30 feet (to allow for a family room on rear of existing house).

Hearing: Wednesday, February 14, 1996 at 10:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call 887-3333.  
(2) For information concerning the file and/or Hearing, Please Call 887-3391.

1/20/96 Jan 25

C27827

TOWSON, MD.,

1/25, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/25, 1996.

THE JEFFERSONIAN,

A. H. [Signature]  
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

Item No. 263

96-263-A

DATE 1-5-96 ACCOUNT R-001-6150

AMOUNT \$ 85.00

RECEIVED  
FROM:

Tom Phelps

010-Residential Variance Filing Fee \$50.00  
080-Sign & posting 35.00

FOR:

Owner: Jim Grace

site: 7038 Greenbank Rd

010000135MICHR

BY 00156AMD1-05-96

Total \$85.00

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

**NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.**

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 263  
Petitioner: JAMES GRACE  
Location: \_\_\_\_\_

**PLEASE FORWARD ADVERTISING BILL TO:**

NAME: JAMES GRACE  
ADDRESS: 2527 HARRISON POINT RD.  
BALT., MD., 21221  
PHONE NUMBER: (410) 391 0179

MICROFILMED

AJ:ggs

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY  
January 25, 1996 Issue - Jeffersonian

Please forward billing to:

James Grace  
2577 Barrison Point Road  
Baltimore, MD 21221  
391-0179

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-263-A (Item 263)  
7038 Greenbank Road  
E/S greenbank Road, opposite Riverman Avenue  
15th Election District - 5th Councilmanic  
Legal Owner: Jim Grace

Variance to allow a rear setback of 20 feet in lieu of the required 30 feet (to allow for a family room on rear of existing house).

HEARING: WEDNESDAY, FEBRUARY 14, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Permits and Licenses  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(410) 887-3900  
Fax: (410) 887-2824

January 19, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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E/S greenbank Road, opposite Riverman Avenue  
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HEARING: WEDNESDAY, FEBRUARY 14, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: James Grace  
Thomas E. Phelps

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

RECEIVED





Baltimore County  
Department of Permits and  
Development Management

Permits and Licenses  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(410) 887-3900  
Fax: (410) 887-2824

February 7, 1996

Jim Grace  
2527 Barrison Point Road  
Baltimore, MD 21221

RE: Item No.: 263  
Case No.: 96-263-A  
Petitioner: Jim Grace

Dear Mr. Grace:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 5, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)



B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

January 29, 1996

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

JLP:KK:sp

c: Mr. Jim Grace

GRACE/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director                      DATE: Jan. 26, 1996  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review Division

RE: Zoning Advisory Committee Meeting  
for January 22, 1996  
Item No. 263

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor of residential development.

RWB: 6W

B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO:     Arnold Jablon, Director  
         Permits and Development  
         Management

DATE:   January 18, 1996

FROM:   Pat Keller, Director  
         Office of Planning

SUBJECT:   Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 254, 255, 257, 258, 260, (263), and 264

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Cary L. Kerns

PK/JL

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410)887-4880

DATE: 01/17/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 16, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 253, 254, 255, 256, 257,  
258, 259, 260, 261, 263 AND 264.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

1-16-96

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 263 (JJS)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

**BALTIMORE COUNTY, MARYLAND**  
**Inter-Office Memorandum**

DATE: January 5, 1996

TO: Hearing Officer

FROM: John J. Sullivan, Jr.  
Planner II, PDM

SUBJECT: Item #263  
7038 Greenbank Road

Mr. Thomas Phelps, applicant for the petitioner (Jim Grace) has been informed of the flood zone (A) and is working with Reg Tanguilig of this office in going through the required procedure.

JJS:scj

..XEROFILMED

RE: PETITION FOR VARIANCE  
7038 Greenbank Road. E/S Greenbank Rd,  
opposite Riverman Avenue, 15th  
Election District, 5th Councilmanic

Jim Grace  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* CASE NO. 96-263-A

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.



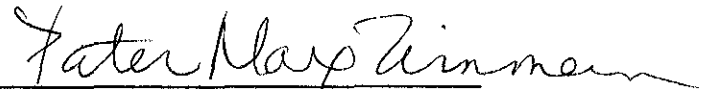
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



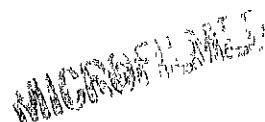
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to Thomas E. Phelps, 945 Barron Avenue, Baltimore, MD 21221, representative for Petitioners.



PETER MAX ZIMMERMAN



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

JAMES GRACE

2527 BARRISON F RD. 21221

Noel Spindler

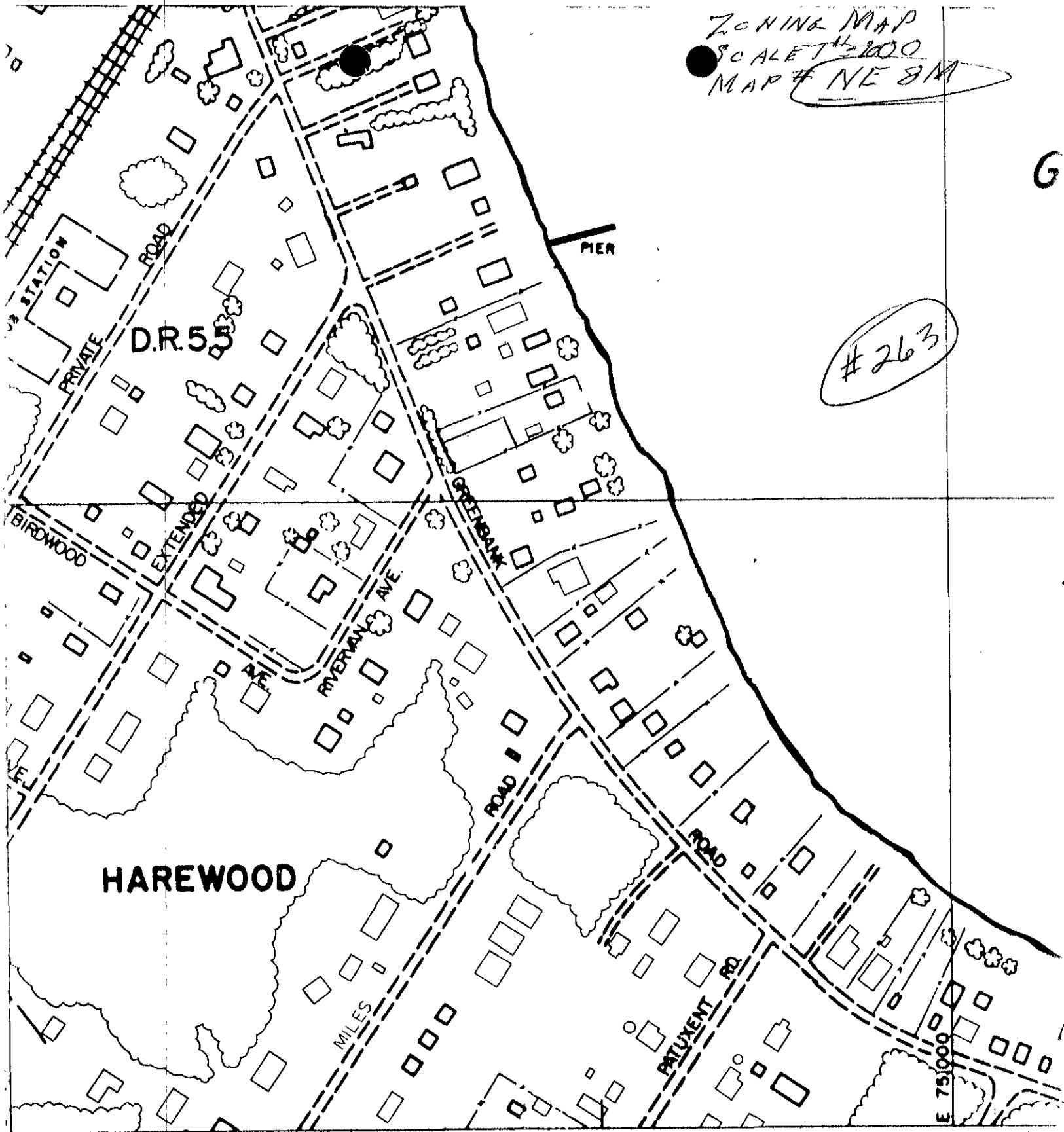
7036 Greenbank Rd. 21220

TOM PHELPS

945 FARNOK AVE



ZONING MAP  
SCALE 1" = 200'  
MAP # NE 8M



#263

HAREWOOD

PIER

E 75000

(SHEET N.E. 7-M)

96-263-A

BALTIMORE  
OFFICE OF PLANNING  
OFFICIAL ZONING

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
678 Greenbank Road, opposite \* ZONING COMMISSIONER  
Riverman Avenue \*  
7038 Greenbank Road \* OF BALTIMORE COUNTY  
15th Election District \*  
5th Councilmanic District \* Case No. 96-263-A  
Jim Grace \*  
Petitioner \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 7038 Greenbank Road, near the Gunpowder River and Gunpowder Falls State Park in Baltimore County. The Petition is filed by Jim Grace, property owner. Variance relief is requested from Section 1B02.3 of the Baltimore County Zoning Regulations (BCZR) to allow a rear yard setback of 20 ft. in lieu of the required 30 ft., for a family room addition to the rear of an existing house. The subject property and requested relief are more particularly shown on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

Appearing at the public hearing held for this case was Jim Grace, Petitioner/property owner. Also present was Noel Spindler who resides in the single family dwelling situated on the subject property. Thomas E. Phelps, the Registered Property Line Surveyor who prepared the site plan, also appeared. There were no Protestants or any interested persons present.

Testimony and evidence presented was that the subject lot is approximately 6,000 sq. ft. in area, zoned D.R.5.5. The lot is improved with a residential single family dwelling as shown on the site plan. This is a two story dwelling which presently contains an attached porch on the rear of the house. The property is approximately 55 ft. wide and 109 ft. deep. The property is located within a residential community near the Gunpowder River and Gunpowder Falls State Park.

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Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

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application for variance had been made to DEPRM and plans submitted to Development Plans Review for evaluation.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22<sup>nd</sup> day of February, 1996 that a variance from Section 1B02.3 of the Baltimore County Zoning Regulations (BCZR) to allow a rear yard setback of 20 ft. in lieu of the required 30 ft., for a family room addition to the rear of an existing house, be and is hereby GRANTED, subject to the following restrictions:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
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3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

February 21, 1996

Mr. Jim Grace  
2527 Barrison Point Road  
Baltimore, Maryland 21221

RE: Case No. 96-263-A  
Petition for Zoning Variance  
Property: 7038 Greenbank Road

Dear Mr. Grace:

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In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmm  
att.

c: Mr. Thomas E. Phelps, 945 Barron Avenue, 21221

ORDER RECEIVED FOR FILING  
Date 2/21/96  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 2/21/96  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 2/21/96  
By [Signature]

**Petition for Variance**  
to the Zoning Commissioner of Baltimore County  
for the property located at 7038 Greenbank Road which is presently zoned D.R.5.5  
96-263-A  
This Petition shall be filed with the Department of Permits & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3 to allow a rear set back of 20' in lieu of the required 30', (to allow for a family room on rear of existing house)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) The existing house is too small for the family.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:  
Type or Print Name  
Signature  
Address  
City State Zipcode  
Attorney for Petitioner:  
Type or Print Name  
Signature  
Address  
City State Zipcode  
Name, Address and phone number of representative to be contacted  
Thomas E. Phelps  
945 BARRON AVE. (410) 574 6744  
Address  
City State Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s):  
Jim Grace  
(Type or Print Name)  
Signature  
(Type or Print Name)

Signature  
2527 Barrison Point Road (410) 391 0179  
Address  
Baltimore MD 21221  
City State Zipcode  
Name, Address and phone number of representative to be contacted

Thomas E. Phelps  
945 BARRON AVE. (410) 574 6744  
Address  
City State Zipcode

ESTIMATED LENGTH OF HEARING 1.5 HR.

RECEIVED BY [Signature] DATE 2-5-96

96-263-A  
#263  
ZONING DESCRIPTION  
#7038 Greenbank Rd.  
Beginning at a point on the east side of Greenbank Rd. opposite Riverman Ave. Then running NE 109.1 ft. thence NW 55 ft. thence southwest 109.1 ft. thence SE 55 ft. to the point of beginning. Containing 6,000.5 sq. ft. & located in the 15th Election District.

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland  
District 15 Date of Posting 1/29/96  
Posted for: Variance  
Petitioner: Jim Grace  
Location of property: 7038 Greenbank Road  
Location of Sign: Front of yard along street  
Remarks: See plat and along street  
Posted by: [Signature] Date of return:  
Number of Signs: 1

**CERTIFICATE OF PUBLICATION**  
TOWSON, MD., 1/25, 1996  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/25, 1996.  
THE JEFFERSONIAN,  
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
96-263-A  
DATE 1-5-96 ACCOUNT R-001-6150  
AMOUNT \$ 85.00  
RECEIVED FROM: Tom Phelps  
10- Residential Variance Filing Fee \$50.00  
10- Sign & Posting 35.00  
FOR: When: Jim Grace 01A0000135MICHRC TO 1000.00 85.00  
10- 7038 Greenbank COV 1000.00 85.00  
VALIDATION OR SIGNATURE OF CASHIER  
DATE - CASHIER FPK - AGENCY YELLOW - CUSTOMER



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

# ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

## PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 263

Petitioner: JAMES GRACE

Location:

PLEASE FORWARD ADVERTISING BILL TO:

NAME: JAMES GRACE

ADDRESS: 2527 BARRISON POINT RD.

PACT, MD, 21221

PHONE NUMBER: (410) 391-0177

AJ:ggg

(Revised 04/09/93)

TO: PUTNEY PUBLISHING COMPANY  
January 25, 1996 Issue - Jeffersonian

Please forward billing to:

JAMES GRACE  
2527 Barrison Point Road  
Baltimore, MD 21221  
391-0177

# NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-263-A (Item 263)  
7038 Greenbank Road  
E/S Greenbank Road, opposite Riverman Avenue  
15th Election District - 5th Councilmanic  
Legal Owner: Jim Grace

Variance to allow a rear setback of 20 feet in lieu of the required 30 feet (to allow for a family room on rear of existing house).

HEARING: WEDNESDAY, FEBRUARY 14, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County  
Department of Permits and  
Development Management

Permits and Licenses  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(410) 887-3900  
Fax: (410) 887-2824

January 19, 1996

# NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-263-A (Item 263)  
7038 Greenbank Road  
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Variance to allow a rear setback of 20 feet in lieu of the required 30 feet (to allow for a family room on rear of existing house).

HEARING: WEDNESDAY, FEBRUARY 14, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

Arnold Jablon  
Director

cc: James Grace  
Thomas E. Phelps

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Printed with Soybean Ink  
on Recycled Paper



Baltimore County  
Department of Permits and  
Development Management

Permits and Licenses  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(410) 887-3900  
Fax: (410) 887-2824

February 7, 1996

Jim Grace  
2527 Barrison Point Road  
Baltimore, MD 21221

RE: Item No.: 263  
Case No.: 96-263-A  
Petitioner: Jim Grace

Dear Mr. Grace:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 5, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

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on Recycled Paper

# BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management  
January 29, 1996

FROM: J. Lawrence Pilson, Jr.  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #263 - Grace Property  
7038 Greenbank Road  
Zoning Advisory Committee Meeting of January 16, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Impervious surfaces are limited to 15% of the lot. Current impervious surfaces are at 15.8%. The proposed addition will raise the imperviousness of the lot to 17.8%. A Critical Area Administration Variance is required in order to exceed impervious surface limits. The property owner should contact Environmental Impact Review at 887-3980 for more information.

JLP:KK:sp

c: Mr. Jim Grace  
GRACE/DEPRM/TXTSP

# BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and Development Management  
DATE: Jan. 26, 1996

FROM: Robert W. Bowling, P.E., Chief  
Development Plans Review Division

RE: Zoning Advisory Committee Meeting  
for January 22, 1996  
Item No. 263

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor of residential development.

RWB:ew

# BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development  
Management  
DATE: January 18, 1996

FROM: Pat Keller, Director  
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 254, 255, 257, 258, 260, 263, and 264

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*  
Division Chief: *Carol L. Kerne*

PK/JL

ITEM254/PZONE/ZAC1

Baltimore County Government  
Fire Department



700 East/Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410)887-4880

DATE: 01/17/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 16, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 253, 254, 255, 256, 257, 258, 259, 260, 261, 263 AND 264.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File  
Printed with Soybean Ink  
on Recycled Paper



David L. Winstead  
Secretary  
Hai Kassoff  
Administrator

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 263

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21203

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME \_\_\_\_\_

JAMES GRACE  
Noel Spindler  
Tom Phelps

ADDRESS

2527 BARRISON PRD. 31221  
7036 Greenbank Rd. 31320  
945 FARRON AVE.

RE. PETITION FOR VARIANCE  
7038 Greenbank Road. E/S Greenbank Rd.  
opposite Riverman Avenue, 15th  
Election District, 5th Councilmanic

Jim Grace  
Petitioner

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
CASE NO. 96-263-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to Thomas E. Phelps, 945 Barron Avenue, Baltimore, MD 21221, representative for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

**BALTIMORE COUNTY, MARYLAND**  
**Inter-Office Memorandum**

DATE: January 5, 1996

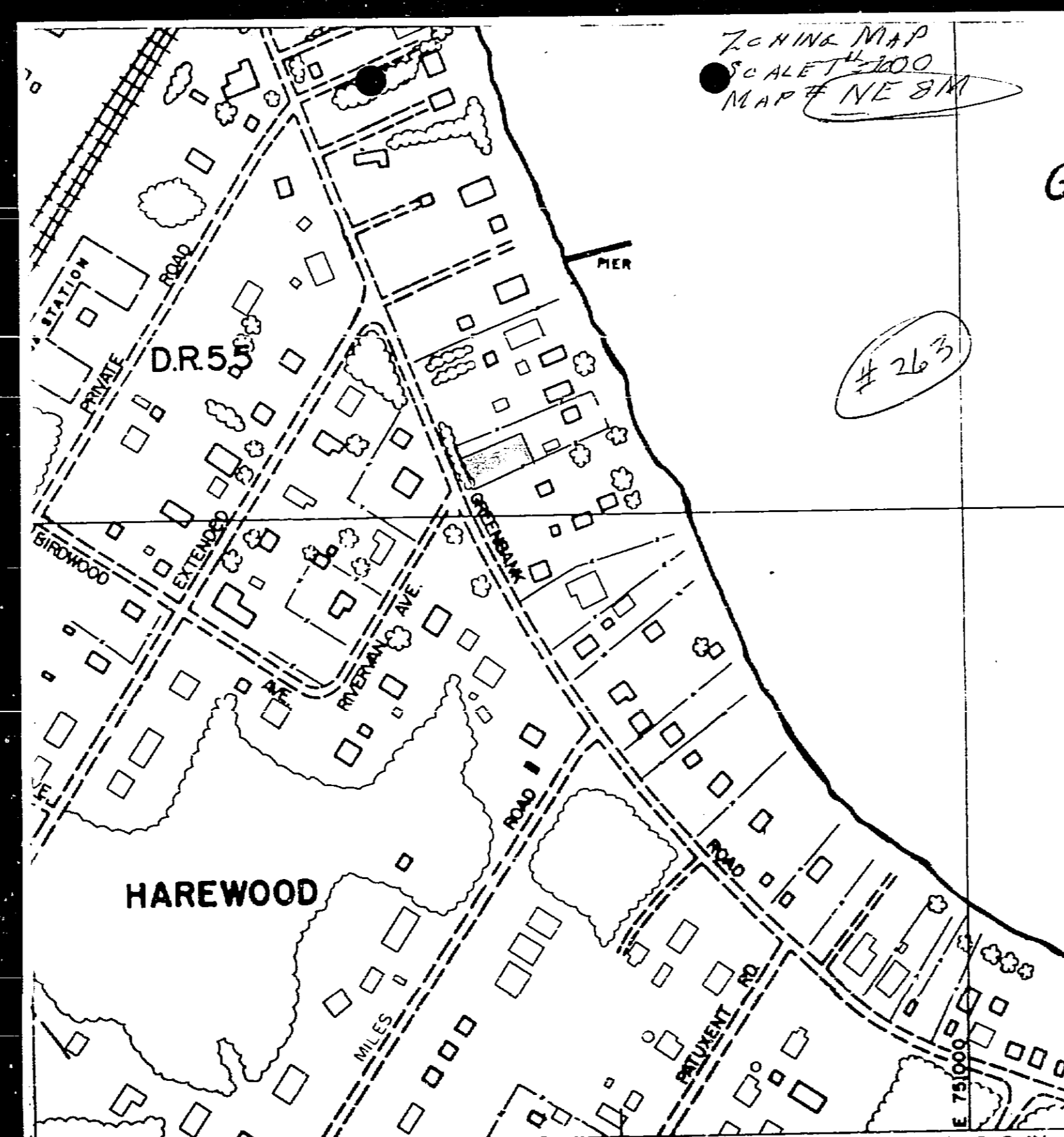
TO: Hearing Officer

FROM: John J. Sullivan, Jr.  
Planner II, PDM

SUBJECT: Item #263  
7038 Greenbank Road

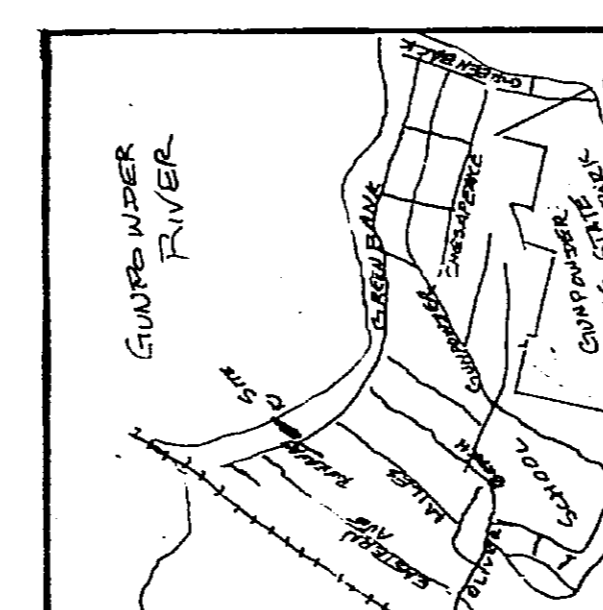
Mr. Thomas Phelps, applicant for the petitioner (Jim Grace) has been informed of the flood zone (A) and is working with Reg Tangulig of this office in going through the required procedure.

JJ5:scj



96-263-A

7 BALTIMORE  
OFFICE OF PLANNING  
OFFICIAL ZONING



## NOTES

1. ZONED D.R. 55
2. CEMEX TRACT #518102
3. ELECTION DISTRICT 15
4. NATIONAL PLANNING 522C
5. BAUTO CO. COMMERCIAL DIST. 5
6. PROPERTY LIES WITHIN CHANDLER CEMEX TRACT #518102
7. AREA OF IMPROVED SURFACE=16.5 %
8. PUBLIC SEWER & WATER
9. LOT SIZE 4,000.5 SQ. FT.
10. APPROX. 3.2 CM. DIA. PIPES INST.

2<sup>nd</sup> 263  
F100A

96-263-A

<u>REVIEWS</u>		<u>VARIANTE PLAT</u>
No.	Type	Date
		*7039 GREENDALE ROAD BALTIMORE COUNTY, MARYLAND
		DRAWN BY: TUV SCALE 1" = 10'
		CHECKED BY: DATE 12-12-96

GREENBANK ROAD 30' R.O.W.